



# Planning Commission Report

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**Meeting Date:** August 7, 2014

**Subject:** **Hillside Area Development Standards**  
Discussion regarding development standards pertaining to grading and retaining walls in the City's Hillside Area, and the public outreach efforts to be undertaken in amending the Municipal Code.

**Recommendation:** That the Planning Commission:

1. Provide staff with direction regarding Hillside Area development standards and outreach efforts.

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## REPORT SUMMARY

On July 24, 2014, the Planning Commission adopted a motion recommending that the City Council adopt an interim ordinance to prohibit the expansion of level pad areas in the Hillside Area of the City. On July 29, 2014, the City Council considered the Planning Commission's recommendation and adopted an interim ordinance to prohibit said expansion of level pads. The City Council further directed that the Planning Commission undertake a study of the Hillside Area in order to establish more defined regulations in the Municipal Code, and that sufficient public outreach and involvement occur during the Planning Commission's study. The purpose of this report is to update the Planning Commission on the interim ordinance, establish the level of public outreach that should occur, and chart a course for the Planning Commission's study of Hillside Area development standards.

## INTERIM ORDINANCE

The City Council adopted an interim ordinance on July 29, 2014, which prohibits the expansion of level pads in the Hillside Area of the City. However, the ordinance exempts 'pipeline projects' from the moratorium on expansion of level pads. For the purposes of the interim ordinance, pipeline projects are considered to be projects that had already been submitted for plan check or Planning Commission review prior to the effective date of the interim ordinance. The interim ordinance is effective for an initial period of 45 days (expiring on September 11, 2014), at the end of which the City Council may extend the ordinance for a longer period of time, or may allow the ordinance to lapse. On September 2, 2014, prior to the conclusion of the 45-day period, staff will provide the City Council with an update on the study of Hillside Area development standards in order to inform the Council's discussion of extending the interim ordinance for a longer period of time.

## **STUDY OF HILLSIDE AREA DEVELOPMENT STANDARDS**

As directed by the City Council, staff and the Planning Commission will undertake a study of the Hillside Area development standards, with a focus on grading and the construction of retaining walls. Elements that will affect the Planning Commission's study are set forth below.

**Timing.** Although the interim ordinance is only valid for an initial 45-day period, the ordinance may be extended by the City Council for a longer period of time. The City Council and Planning Commission have expressed an interest in moving the matter forward quickly; however, public outreach efforts and allocation of staff resources both impact the speed at which amendments to the development standards can be undertaken. Public outreach efforts are discussed below, but it should be noted that increased public outreach adds to the time it will take to study and amend the development standards. With respect to allocation of staff resources, any effort to amend the Hillside Area development standards must be weighed against other priorities established by the City Council and set forth in the Planning Division's work plan. Accordingly, staff will be returning to the City Council during the coming month to discuss work plan priorities, and where the effort to amend the Hillside Area development standards falls on the list of priorities. Once this occurs, staff will have a better understanding of the level of resources that can be devoted to the effort, and the length of time the project is expected to span.

**Public Outreach.** In order to ensure public outreach for any upcoming hearings pertaining to the Hillside Area development standards, a direct mailing will be provided to the owners and occupants of all Hillside Area properties. The number of Hillside Area properties is estimated at approximately 850. In addition to direct mailing, notices would be published in the *Beverly Hills Courier* and the *Beverly Hills Weekly*. Staff also intends to contact a number of frequent customers that are known to do work in the Hillside Area, such as lobbyists, expeditors, architects, contractors, and realtors. Beyond the outreach efforts mentioned in this report, staff seeks input from the Commission as to any additional efforts that should be undertaken.

**Potential Amendments.** Although the Commission's study will be shaped by community input and dialogue, some of the items staff expects to study include the following:

- Prohibiting or limiting expansion of existing level pads
- Reducing the threshold that triggers grading review by the Planning Commission
- Establishing a greater minimum dimension between retaining walls constructed in a series, or limiting the number of walls that can be constructed in series
- Modifying the way that the height of walls is measured, or reducing the maximum allowed height for retaining walls
- More narrowly defining level pad to only include the level pad that the primary residence is located on (currently any level area counts as level pad if it has a dimension of at least 10')
- Calculating maximum allowed floor area based on existing level pad area, rather than after grading as the code currently allows

**Additional Options.** While the above list is seen as a starting point for study, staff seeks input from the Planning Commission as to whether there are additional topics/ideas that should be included in the study. In recognition of the time and staffing resources required for the broader study discussed above, the Commission may also wish to consider a somewhat interim, but more focused approach within a shorter period of time. A focused approach that may achieve the City Council and Planning Commission's goals, but be less restrictive than a moratorium, could include the following:

- Require that all earthwork in excess of 1,000 cubic yards be reviewed by the Planning Commission
- Prohibit the construction of more than two retaining walls in series (or some other number of walls)

The above options could serve as an interim measure that allows projects with grading to proceed through the permitting process, but only with discretionary review by the Planning Commission or a reduced number of retaining walls.

#### **NEXT STEPS**

It is recommended that the Planning Commission discuss the status of the interim ordinance and the next steps, and provide staff with direction as appropriate.

Report Reviewed By:



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Ryan Gohlich, Senior Planner